IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

WP(C).No. 23371 of 2007(G)

PETITIONER:

K.NAZEER AHAMED, S/O KOYAKUTTY ASAN,
AGED 53 YEARS, PREVENTIVE OFFICER(STANDS REVERTED AS GUARD), MUKUNDAPURAM RESIDING AT MANGATTU PUTHEN VEEDU, MUKUNDAPURAM, P.O.CHAVARA,
KOLLAM DISTRICT-691585.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT,
TAXES G DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE COMMISSIONER OF EXCISE,
KERALA, THIRUVANANTHAPURAM.

3. SRI. P.SALIM,
DEPUTY COMMISSIONER OF EXCISE & ENQUIRY OFFICER,
O/O THE EXCISE COMMISSION, VIGILANCE & INVESTIGATION, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 23371 OF 2007
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Dated this the 16th day of August, 2007

J U D G M E N T

While working as a Preventive Officer in the Excise Department, on the allegation of having committed certain misconducts, Ext.P2 memo of charges was issued to the petitioner, which resulted in a major penalty of reversion to the post of Excise Guard for a period of two years, as per Ext.P7. Against Ext.P7, invoking the appellate remedy available under Rule 23 of K.C.S(C.C.A) Rules, 1960, petitioner has filed Ext.P8 appeal.

2. On instructions, learned Government Pleader submits that Ext.P8 is pending consideration of the first respondent.

3. Taking note of the above, this writ petition is disposed of directing the first respondent to consider and pass orders on Ext.P8, as expeditiously as possible, at any

rate within a period of two months from the date of receipt of a copy of this judgment. Before orders on Ext.P8 is passed, petitioner may also be issued a notice.

4. Petitioner is directed to produce a copy of this judgment before the first respondent for compliance.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp